

ducted to a convenient point near the Waiakea river and to be distributed in pipes through any or all of the streets of the said town now existing, or that hereafter be laid out.

SECTION 2. For the carrying out of the privilege granted by the first section of this Act, the grantees aforesaid are hereby authorized to make such reasonable excavations for the laying of pipes in said streets of the said town of Hilo, as may be from time to time necessary, provided that all excavations be promptly filled when the pipes are laid, and the streets so excavated restored to as good condition as they were before the work of excavation was begun, and provided that all pipes, conduits, hydrants and structures of any kind used in connection with this system of water works, shall be so placed as not to obstruct or inconvenience the free use by the public of all streets or roads or lands in, or through which the said pipes, hydrants, conduits and other structures may be conducted or placed.

SECTION 3. The rates to be charged to persons using the water from the system of works by this Act authorized, shall be no greater than is charged by the Hawaiian Government in the town of Honolulu, Island of Oahu, for like water privileges.

SECTION 4. The grantees of the privileges granted by this Act are hereby authorized to lay down pipes without charge in any Government lands, in or through which the same may be deemed necessary to pass.

SECTION 5. The grantees of the privileges granted by this Act shall at the expense of the Government cause to be placed at convenient distances from each other along the route of the water pipes when laid in pursuance of this Act, suitable hydrants from which water may be obtained without charge by the proper authorities to be used for the extinguishing of fires, and watering the streets.

SECTION 6. All excavations and erections to be made in pursuance of this Act shall, so far as the same may affect the public convenience, be done in the manner to be approved by the Superintendent of Public Works.

SECTION 7. The Hawaiian Government shall have the right, at any time, to purchase from the then owners of the water works hereby authorized, all of the plant, fixtures, rights, privileges and franchises belonging to or connected with the said water works. The price to be paid shall be the actual cost of all plant and material used in the construction, extension and improvement of the said water works, in constructing the necessary reservoirs and appurtenances in connection therewith, also the purchase price of any water rights bought by the owner or owners of the said water works and a proportionate part of rents for water rights paid in full for the term of this franchise or any part thereof.

SECTION 8. Water shall be supplied from said water works without discrimination as to supply or price to all persons who shall offer to pay for the same, subject to such reasonable rules and regulations as may be adopted by the owners of said works.

SECTION 9. The owners of said water works shall on the 1st day of July of each year file in the office of the Minister of the Interior, a detailed statement of all moneys received or expended by them for, or on account of, or in connection with said water works.

Approved this 20th day of December, A. D. 1887.

KALAKAUA REX.

By THE KING:

L. A. THURSTON.

Minister of the Interior.

AN ACT

TO PROVIDE FOR A COMMISSION TO INVESTIGATE AND REPORT AT THE MAY SESSION, A. D. 1888, OF THE LEGISLATURE UPON THE FEASIBILITY AND EXPENSE OF OBTAINING FROM THE RANGE OF MOUNTAINS LYING BETWEEN KUKUIHALE AND THE TOWN OF KOHALA, ISLAND OF HAWAII, WATER FOR MILLING, FLUMING, AND GENERAL PURPOSES THROUGHOUT THE DISTRICT OF HAMAKUA AND TO PROVIDE FOR THE EXPENSE OF SUCH COMMISSION.

WHEREAS, large supplies of water are running to waste from the range of mountains lying between the villages of Kukuihaele and Kohala, Island of Hawaii:

AND WHEREAS, the adjoining District of Hamakua is without running streams of water and at times suffers very materially for water not only for milling but also for household purposes and for the supply of stock:

AND WHEREAS, many believe it practicable with a reasonable outlay of money to lead the waste water aforesaid or portions thereof through said District of Hamakua or portions thereof so as very materially to advance the prosperity and develop the resources of said District: Now, therefore.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. That the Minister of Interior as soon as practicable after the passage of this Act shall appoint a

Commission of five persons of whom one shall be a resident of Kohala, Hawaii, one a resident of, or owner of property in Waipio Valley in said Hamakua, two shall be chosen at large from said District of Hamakua, and one shall be a competent Civil Engineer, said Commission to serve without pay, except said Civil Engineer who shall be paid such compensation as shall be just and reasonable.

SECTION 2. It shall be the duty of said Commission to ascertain and report to the Minister of Interior prior to the month of May, A. D. 1888.

1st.—The estimated quantity, locality, and altitude of said waste waters and the course of the same.

2d.—Whether it is practicable to lead said water or portions thereof by ditching or otherwise through said District of Hamakua or portions thereof, and if so the proposed route or routes of leading said water, with a comprehensive itemized and detailed estimate of the cost of so doing.

3d.—All other facts necessary or proper bearing upon the subject matter of this Act.

SECTION 3. Said Commission is hereby authorized to have all necessary surveys and maps made, and generally to do all Acts and make all outlays of money necessary or proper to obtain reliable information upon all of the facts to be inquired into by them, such outlays however, including the pay of said Civil Engineer, not to exceed in all the sum of Twenty-five Hundred Dollars.

SECTION 4. The Superintendent of Public Works shall in behalf of the Government, review and verify the estimates and report of said Commission, and shall make a report thereon to the Minister of Interior, who shall lay the same together with the report of the Commission, before the Legislature at the May Session, A. D. 1888, thereof.

Approved this 5th day of December, A. D. 1887.

KALAKAUA REX.

By THE KING:

L. A. THURSTON.

Minister of the Interior.

AN ACT

RELATING TO THE MILITARY FORCES OF THE KINGDOM.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Volunteer organizations known as the Honolulu Rifles, the King's Own, the Queen's Own, Prince's Own and the Leleiohoku Guards are hereby declared to be legally organized military bodies. If any of said organizations shall dissolve or disband, the Minister of the Interior with the advice and consent of the Cabinet may authorize the forming of a similar body or bodies in place thereof.

SECTION 2. In addition to the Volunteer organizations aforesaid it shall be lawful for the Hawaiian Government to enlist and maintain a permanent military force under pay not exceeding in number sixty-five men of all ranks inclusive of commissioned officers. Said commissioned officers to be a Captain and two Lieutenants and no more, appointed to the said force, who shall be commissioned by the King, such commission being countersigned by the Minister of the Interior. But nothing herein contained shall be deemed to prevent His Majesty from appointing such persons as he may think proper, to serve without pay, on his personal staff, with such honorary rank as he may designate.

SECTION 3. All persons who may be enlisted to serve in the permanent military force mentioned in Section 2 shall take and subscribe an oath before a Police or District Justice in the following form:

I.....do make oath that I will serve as soldier for the term of.....years, should the Hawaiian Government so long require my service: that I will be faithful and bear true allegiance to His Majesty, his heirs and successors: and that I will honestly and faithfully support the Constitution of the Hawaiian Islands.

So help me God.

(Signature.)

The above named.....signed and took the above oath this.....day of.....A. D. 18.....

Before me.....

SECTION 4. Any person who shall be duly sworn as aforesaid and shall desert from said military force, shall, on conviction before any Police or District Justice, be subject to be imprisoned at hard labor for any term not exceeding twelve months.

SECTION 5. All of the military forces aforesaid shall (subject to the superior command of the King and the provisions of Section 7 of this Act) be under the immediate control and command of an officer with the rank of Brigadier-General who shall receive for his services a salary of one hundred and fifty dollars per month.

SECTION 6. The Brigadier-General may appoint and commission, as his personal staff, such persons as he thinks proper, to serve without pay, and with such honorary rank as he may designate.

SECTION 7. All the military forces of the Kingdom and all public property used for, and in connection with the same, and the expenditure of all moneys appropriated by law for military purposes shall be under the general control and supervision of the Minister of the Interior, who shall have authority by and with the consent of the Cabinet to appoint and remove the Brigadier-General aforesaid, or to remove any officer of the regular force; to reduce or disband the military forces or any portion thereof and to establish and prescribe such rules and regulations not inconsistent with any law now in force for the organization, control and discipline of the military forces.

SECTION 8. Nothing in this Act contained shall be construed as rescinding any Constitution or by-laws heretofore adopted by any of the organizations herein named not inconsistent with any existing law.

SECTION 9. Any and all expenditures authorized in this Act may be paid upon the order of the Minister of the Interior from any moneys available in the appropriations for the King's Guard or for aid to Volunteer Military Companies and purchase of arms, ammunition, etc., for the military forces of the Kingdom, contained in the Appropriation Bill of October 14, 1886.

SECTION 10. This Act shall take effect and become Law from and after its approval, and thereupon the following Laws and parts of Laws below and all other Laws in conflict herewith shall be and the same are hereby repealed, that is to say:

So much of Section 21 of the first Act of Kamehameha III. to organize the Executive Ministry of the Hawaiian Islands as relates to the duties of Governors in respect to the charge of the island forces and munitions of war.

Section 3, 4, 5, 6 and 7 of Article 5, Chapter 4, part first, of the Act to organize the Executive Departments of the Hawaiian Islands.

Section 3 and 4 of Article 6, Chapter 4 of the same Act.

Section 4 of Chapter 2, part second, of the same Act relating to the Secretary of War and of the Navy.

Chapter 22 of the Laws of 1886 entitled "An Act to organize the Military Forces of the Kingdom."

I hereby certify that the foregoing Act having passed its Third Reading in the Legislature of the Hawaiian Kingdom, on the ninth day of December, 1887, was presented to His Majesty the King, through the Cabinet on the fourteenth day of December, 1887; that on the nineteenth day of December, 1887, it was returned to the Legislature by His Majesty the King, unsigned, together with a message setting forth certain reasons why he refused to sign the same; that it appeared that such message was not countersigned by a Minister, and that His Majesty's Act in so returning the same was done without the advice and consent of the Cabinet; that thereafter the Legislature adopted a resolution that said Act of the King, not being countersigned by a Minister and having been done without the advice and consent of the Cabinet, could not be considered a refusal to approve the Act within the meaning of Article 48 of the Constitution, which action of the Legislature was duly communicated to the King; and I do hereby further certify that more than ten days, (Sundays excepted) have elapsed since said Act was presented to the King and that (except as aforesaid) the same has not been returned to the Legislature, and that the Legislature had not adjourned prior to the expiration of said period of ten days.

Dated Honolulu, December 28th, A. D. 1887.

WILLIAM R. CASTLE,

President of the Legislature.

Attest, J. ALFRED MAGOON.

Clerk of the Legislature.

AN ACT

TO REPEAL THE ACTS ENTITLED RESPECTIVELY "AN ACT TO PROHIBIT NATIVES FROM LEAVING THE ISLANDS," APPROVED THE SECOND DAY OF JULY, A. D. 1850; AND "AN ACT TO RE-ENACT AN ACT ENTITLED AN ACT TO PROHIBIT NATIVES FROM LEAVING THE ISLANDS, PASSED THE SECOND DAY OF JULY, A. D. 1850," APPROVED THE 31ST DAY OF DECEMBER, A. D. 1864.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The several Acts entitled respectively "An Act to prohibit Natives from leaving the Islands," approved the 2d day of July, 1850, and An Act to re-enact An Act entitled An Act to prohibit Natives from leaving the Islands, passed on the second day of July, A. D. 1850," approved the 31st day of December, A. D. 1864, shall be, and the same are hereby repealed.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 5th day of December, A. D. 1887.

By THE KING:

L. A. THURSTON,

Minister of the Interior.